

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SANTOS LEC CUMES, and
JUAN JOSE COJTIN BOCEL,

Case No.: 17 CV 377
(GHW)

Plaintiffs,

- against -

JAIYA U.S.A. INC., and JAI-YA NEW YORK, INC.,
doing business as JAI YA THAI AND
ORIENTAL RESTAURANT, and
VIRACHART POKPOONPIPAT, individually,

Defendants.

Brief description of the case to be read to the venire.

Good morning ladies and gentlemen. The case you may be called upon to hear arises under the Federal Fair Labor Standards and the New York State Labor Law which mandate certain minimum wage and overtime requirements for non-exempt employees working in New York.

The plaintiffs, who brought this case, are two individuals, named Santos Lec Cumes and Juan Jose Cojtin Bocel. They are represented by Peter H. Cooper, from the law firm, Cilenti & Cooper, PLLC, located in Manhattan. The Plaintiffs allege that they have performed work for which they were compensated below minimum wage and worked overtime hours for which they did not receive overtime pay.

The defendants, against whom the case was brought, are two corporations, JAIYA U.S.A. INC., which operates a restaurant at the Upper East Side, on Second Avenue between 80th and 81st Streets, JAI-YA NEW YORK, INC., which also operates a restaurant in Gramercy neighborhood, on Third Avenue and 28th Street, and Virachart

Pokpoonpipat, an owner of the two (2) restaurants. They are all represented by Joseph Nohavicka, Esq. and Ariadne Panagopoulou, Esq., from the law office Pardalis & Nohavicka, LLP, located in Manhattan and Astoria. The plaintiffs were employed by the restaurants. Defendants dispute Plaintiffs' allegations and assert that they paid the two Plaintiffs in accordance with the minimum and overtime provisions of the law at all times.

Apart from the parties and their attorneys, you may hear from the following witnesses at the trial:

Raul Reyes; Jintanun Kanchanawong; Krit Trirattananukul; Chutima Worasuttayangkul; Kanchana Rungruangviechakul; Somsak Saengow; and Wanwisa Chassen.

The trial is expected to be short compared to most cases. We anticipate the trial lasting at most three (3) days, including today.